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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA
6 RENO, NEVADA

7 JOHN M. TOWNSEND,) 3:09-cv-00351-ECR-VPC
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9 Plaintiff,)
10 vs.) Order
11)
12 BRUCE BANNISTER, et al.,)
13 Defendants.)
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On December 6, 2011, the Magistrate Judge filed a Report and Recommendation (#58) recommending that Defendants' Motion for Summary Judgment (#41) be granted in part and denied in part. On December 22, 2011, Plaintiff filed objections (#60) to the Report and Recommendation (#58). Plaintiff challenges the Magistrate Judge's determination that summary judgment should be granted in favor of Defendant Brooks due to lack of personal participation in Plaintiff's alleged constitutional violations. On January 3, 2012, Defendants filed their opposition (#61) to Plaintiff's objections (#60). Plaintiff has failed to set forth any evidence or grounds that the Magistrate Judge failed to consider in the Report and Recommendation (#58), and the objections (#60) are therefore without merit. Plaintiff also attempts to cursorily challenge other aspects of the Report and Recommendation (#58), but does not present any basis on which to overturn the conclusions contained therein.

1 On January 11, 2012, Plaintiff filed a reply (#62) in support
2 of his objections (#60). Local Rule IB 3-2 does not provide for
3 reply briefs in the case of objections to a report and
4 recommendation, and furthermore, Plaintiff's reply (#62) does not
5 change the Court's conclusions with respect to Plaintiff's
6 objections (#60) to the Report and Recommendation (#58).

7 **IT IS, THEREFORE, HEREBY ORDERED** that the Report and
8 Recommendation (#58) is **APPROVED** and **ADOPTED**. Defendant's Motion
9 for Summary Judgment (#41) is **GRANTED IN PART** and **DENIED IN PART** as
10 follows:

11 1. Defendants' Motion for Summary Judgment (#41) is **GRANTED** as
12 to Plaintiff's claims against Defendants Brooks and Skolnik in
13 Counts I, II, and III;

14 2. Defendants' Motion for Summary Judgment (#41) is **DENIED**
15 without prejudice as to Plaintiff's claims in Counts IV and V, and;

16 3. Defendants' Motion for Summary Judgment (#41) is **GRANTED** for
17 monetary claims against Defendants Bannister, Bishop, and Milner in
18 their official capacities.

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21 DATED: January 13, 2012.

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UNITED STATES DISTRICT JUDGE